

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Case No. 1:23-cr-29

Plaintiff,

v.

Hon. Paul L. Maloney

TERRENCE WAYNE VANOCHTEN

Defendant(s).

**GOVERNMENT'S**  
**INITIAL PRETRIAL CONFERENCE**  
**SUMMARY STATEMENT**

I. DISCOVERY

A. Statements of Defendant

1. Oral Statements (Rule 16(a)(1)(A))

- There are no written records of oral statements or other oral statements as defined in Rule 16(a)(1)(A).  
 There are the following written records of oral statements:

8/18/22 Recorded interview (KCSO)  
3/21/23 Recorded statements (ATF)

The substance of which

- has been disclosed to defense counsel.  
 will be disclosed to defense counsel by March 23, 2023.

2. Written or Recorded Statements (Rule 16(a)(1)(B))

- There are no written or recorded statements or grand jury testimony of defendant.  
 There are the following written or recorded statements or grand jury testimony:

8/18/22 Recorded interview by KCSO  
Privately (non-gov't) recorded conversations, various dates  
3/21/23 Recorded statements during transport, ATF

All written or recorded statements

- have been disclosed to defense counsel.  
 will be disclosed to defense counsel by March 23, 2023.

B. Defendant's Prior Record (Rule 16(a)(1)(D))

- The Government has made due inquiry and is not aware of any prior criminal record.
- The Government has disclosed defendant's prior criminal history.
- The Government is now making inquiry into defendant's prior criminal history. The results will be disclosed to defense counsel upon receipt.

C. Documents and Tangible Objects (Rule 16(a)(1)(E))

- The Government has no documents, tangible objects, or physical evidence required to be disclosed.
- The Government has the following documents, tangible objects, and physical evidence:
  - Drug Paraphernalia       Drug Records       Inventory (attached)
  - Controlled Substances: \_\_\_\_\_
  - Records: \_\_\_\_\_ NFRTR non-registration
  - Firearms: \_\_\_\_\_ Bombs, bomb parts, AR-15 rifles and accessories
  - Other: \_\_\_\_\_ Firearm parts, explosives & combat manuals, "military" clothing & gear
- The Government voluntarily notifies the defendant of the following search warrants issued and the warrant returns:
  - State
  - Federal:

Case No. _____	22-26404	Re: _____	Def's residence 8/18/22
Case No. _____	22-26404	Re: _____	Def's residence 8/19/22
Case No. _____		Re: _____	
- They have been made available for inspection and copying by defense counsel.
- Defense counsel should make arrangements with:  
SA Sara Choi, ATF  
\_\_\_\_\_

D. Reports of Examinations and Tests (Rule 16(a)(1)(F))

- The Government has no reports of examinations or tests required to be disclosed by Rule 16.
- The Government has or expects to have reports of the following examinations and tests:
  - Drug Analysis       Handwriting       Fingerprints
  - DNA       Firearms/Nexus       Gun Operability
  - Computer Forensics       Other: \_\_\_\_\_ Explosives

E. Reciprocal Discovery

- The Government seeks reciprocal discovery.

F. Notice Under FRE 404(b)

- The Government does not presently intend to introduce 404(b) evidence.  
 The Government does presently intend to introduce the following 404(b) evidence:

- The Government will provide pretrial notice of 404(b) evidence by \_\_\_\_\_.

G. Other Discovery Matters

II. TRIAL

- A. The Government requests a  jury  non-jury trial.  
B. The length of trial excluding jury selection is estimated at \_\_\_\_\_ 2 days \_\_\_\_\_.

III. MISCELLANEOUS

The parties acknowledge that if the case is appropriate for expedited resolution, a joint motion for expedited sentencing shall be filed within 14 days of arraignment.

- The Government is unaware at this time of any known conflict with defendant's representation by counsel. The United States will immediately advise counsel if any such conflict becomes known.  
 The Government is aware of the following potential conflicts:

- Government's plea negotiation policy:

No consideration for pleas entered less than two weeks before final pretrial conference.

Date March 23, 2023

Nils R. Kessler  
Counsel for the United States